

**SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : SECOND JUDICIAL DEPARTMENT**

B/

HECTOR D. LASALLE, P.J.

STUDENT PRACTICE ORDER

In the Matter of the Application of the
Corporation Counsel of the City of New York
pursuant to Judiciary Law §§ 478 and 484
for Approval of a Program of Activities
for Law Students and Law School Graduates
Awaiting Admission.

Upon the petition of Georgia M. Pestana, Corporation Counsel of the City of New York, dated January 10, 2022, for an order pursuant to Judiciary Law §§ 478 and 484 to authorize a program of activities for law students and law school graduates awaiting admission to the bar of the State of New York, it is

ORDERED that pursuant to Judiciary Law §§ 478 and 484, the following program of training, supervision, and activities for law students and law school graduates awaiting admission to the bar of the State of New York is approved, subject to the conditions and limitations set forth below:

1. The program shall be open to law students who have completed at least two semesters of law school or persons who have graduated from a law school approved pursuant to the rules of the Court of Appeals for the admission of attorneys and counselors-at-law and who have taken the examination for admission to practice as an attorney and counselor-at-law immediately available after graduation from law school, or the examination immediately available after being notified by the board of law examiners that they failed to pass said exam, and who have not been notified by the board of law examiners that they have failed to pass two such examinations.

2. On or about December 15th of each year but no later than December 31st, the petitioner shall submit to this court an annual report concerning the operation of the program for the preceding year, the number of persons participating therein, and any other information relative to the program.

3. The petitioner shall insure that all participants in the program (hereinafter the student interns) are instructed in professional responsibility, professional obligations, and ethics required of an attorney licensed to practice law in the State of New York.

4. Student interns participating in the program shall work under the supervision of one or more experienced staff attorneys of the petitioner. The supervising attorneys shall periodically evaluate the work of each student intern. All supervising attorneys must be duly admitted to practice in the State of New York, and members in good standing of the bar of the State of New York.

5. Student interns may perform the functions of an attorney and counselor-at-law in the conduct of the approved activities, including:

- a. conducting all necessary client and witness interviews, investigations, and conferences, including court conferences;
- b. examinations before trial;
- c. the drafting of documents, including pleadings, motions and opposition thereto, and discovery demands; memoranda, and briefs, provided that the final draft of any such document is approved by an attorney;
- d. the presentation of motions and ex parte applications;
- e. conducting trials and arbitrations in Civil and Small Claims courts.

6. Student interns shall not finally dispose of any matter without the prior approval of the supervising attorney.

7. Student interns are prohibited from appearing in the Appellate Division, Second Judicial Department.

8. Student interns may appear and participate in oral argument in the Appellate Term only with the prior written approval of that court.

9. Student interns may appear in the Integrated and Dedicated Domestic Violence (IDV) Parts of the Supreme Court only in those cases which have been transferred to an IDV Part from the Family Court.

10. Student interns may appear in the Family Court only with the consent of that court.

11. In accordance with any limitations or conditions expressed in this order, student interns are approved to make the following appearances. In all circumstances, the student interns' appearance shall be on notice to the jurist before whom the appearance is made, and who may request the supervisor to address the matter at hand:

In Civil Matters

In all civil actions or proceedings in which the Corporation Counsel's Office has appeared for a party, including but not limited to:

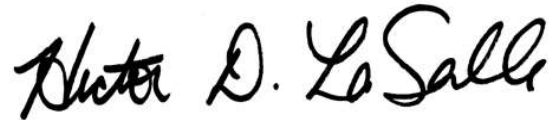
- 1). CPLR article 75 proceedings;
- 2). CPLR article 78 proceedings;
- 3). Personal injury and property damage cases;
- 4). Police misconduct matters;
- 5). Discrimination actions under State and City Human Rights laws;

- 6). Actions relating to employment practices;
- 7). Procurement challenges;
- 8). Breach of contract actions;
- 9). Public improvement lien foreclosure actions arising out of City, School Construction Authority, Health and Hospitals Corporation, New York State Dormitory Authority, and Economic Development Corporation construction contracts;

and it is further,

ORDERED that this order shall expire on January 31, 2024, unless continued by further order of the Court.

ENTER:



HECTOR D. LASALLE
Presiding Justice

Dated: January 19, 2022